

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 11, 1972

7:30 P.M.

Huston-Tillotson College  
1820 East 8th Street

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler

Absent: Councilman Friedman

On behalf of the City Council, Mayor Butler expressed to Dr. Carl Weems and his associates at Huston-Tillotson College, the appreciation and gratitude for the use of the fine facilities of the College. Dr. Weems responded, stating they were pleased to be able to make a contribution to community activities and also to give the citizens a chance to see Huston-Tillotson College.

The Invocation was delivered by DR. J. J. SEABROOK, Past President of Huston-Tillotson College.

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of April 27, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler

Noes: None

Absent: Councilman Friedman

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RECOGNITION

Mayor Butler read a resolution recognizing and commending the Design Class of the University of Texas under the leadership of Professor Martin Kermacy in contributing the facilities and developments for the YWCA, given by Mr. and Mrs. Garrie Bray as a memorial to their son some 20 years ago, and directing that a page be especially set apart in the Official Minutes of the City Council and that a copy of the resolution be presented to each member of the Junior Year Architectural Design Class.

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## CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

AIR CONDITIONING, INC.

- For the construction of Electric Building basement alterations - \$15,800.00. (Completion date set for July 3, 1972; City's estimate was \$12,000.00; Capital Improvements Program Project No. 3903 1)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
 Noes: None  
 Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

ED PAGE

- Electric Network Ductline Extension, 14th to 17th Streets - Colorado to San Antonio Streets - \$43,778.60. (90 calendar days for completion; Engineer's estimate was \$46,270.00; Capital Improvements Program Project No. 3045 2)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
 Noes: None  
 Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

CLYDE HILL T. V. AND APPLIANCES

- Bid Invitation No. B7242, 140 Room Air-conditioners for Brackenridge Hospital \$26,880.00.

Councilman Dryden stated this award was based on an analysis of cost of operation of these units over a three year period.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
 Noes: None  
 Absent: Councilman Friedman

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract;

INTERNATIONAL PAPER CO.

- 12 Months Extension of Supply Agreement to furnish Wooden Electric Utility Poles - \$159,441.62.

Mayor Pro Tem Love noted the request of the Bidder for an option to review the prices at the end of the first year due to increases of freight rates and raw materials.

Mr. R. L. Hancock, Director of Electric Utilities, stated the supplier wanted the option of review of the extension at the end of one year instead of two. Purchasing recommended extending the contract for one year.

Councilman Nichols noted this was a situation that must be corrected as these contracts were continually being extended. Mayor Pro Tem Love asked if the city had the same privilege of reviewing the contract.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

FIELDON W. BERRY

- One (1) year extension as per option 1 of Two (2) year Concession Contract at Zilker Park beginning May 12, 1972 for Food, Drinks and Tobacco Products - \$12,500.00 annual payment to the City, payable \$1,041.66 monthly in advance plus 5.11% of gross sales.

Mr. Solon Bennett, Director of Purchasing, explained that the contract was written for two one-year options and this is the first option to be exercised.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox

Noes: None

Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

LONGHORN WIPING MATERIALS  
COMPANY

- Bid Invitation No. 2-0829, Twelve (12)  
month Supply Agreement for Wiping Rags,  
Bid Item 1 - \$14,520.00.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

#### REJECTION OF BIDS

Councilman Nichols moved the Council adopt a Resolution rejecting all bids received for Industrial Towels. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

#### WILLIAMSON CREEK SANITARY SEWER LINE

Councilman Nichols moved the Council adopt a Resolution authorizing the the Acting City Manager to sign necessary documents applicable to the transaction approved by the City Council on January 27, 1972 for construction of Onion Creek Sanitary Sewer Line. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,  
Councilmen Dryden, Nichols  
Noes: None  
Absent: Councilman Friedman

#### ONION CREEK SANITARY SEWER LINE

Councilman Nichols moved the Council adopt a Resolution authorizing the Acting City Manager to sign necessary documents applicable to the transaction approved by the City Council on January 27, 1972 for construction of Onion Creek Sanitary Sewer Line. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden,  
Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

**STREET RIGHT-OF-WAY**

Mayor Pro Tem Love moved the Council adopt a Resolution dedicating land as street right-of-way for East Riverside Drive Expressway.

Councilman Lebermann noted in the past, there was some form of agreement, and now the City is suspending it. City Attorney Butler said this was the consummation of a plan proposed whereby the City would abandon a portion of street right of way and revise existing option agreements in order to make an adjustment in the street right of way.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

**EXECUTE ROTHELL-FELTS AGREEMENT**

Mayor Pro Tem Love moved the Council adopt a Resolution authorizing the City Manager to execute Rothell-Felts agreement.

Rothell-Felts agreement for certain right of way, vacating square footage and execution of amendment of option agreement.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Handcox  
Noes: None  
Absent: Councilman Friedman

**PARK AREAS AND GREENBELT LANDS**

Councilman Nichols moved the Council adopt a Resolution authorizing the City Manager to make application to the U.S. Department of Housing and Urban Development for \$785,000 in federal funds for acquisition of park areas and greenbelt lands. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

## RECREATION SUPPORT PROGRAM

Councilman Nichols moved the Council adopt a Resolution authorizing the City Manager to enter into a cost reimbursement contract with Department of Labor for Recreation Support Program monies not to exceed \$84,000. This contract is contingent upon the program's anticipated passage by Congress before summer.

Mr. Beverly Sheffield, Director of Recreation, explained the program and reported the application for the funds is being prepared. This will be the third year for this type of program. According to Mr. Sheffield, no more than 30 people would be employed. A large amount will go to contracts with the Boy Scouts, Girl Scouts (for day camps), with the YMBL Sunshine Camp, Mental Health-Mental Retardation Operation Sunshine. Councilman Lebermann noted in the operating budget the Council appropriated \$3,000 and also indicated that they wanted to help in an additional \$4,500 and these monies will come from this grant.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
 Noes: None  
 Absent: Councilman Friedman

## ANNUAL AGREEMENT

Councilman Nichols moved the Council adopt a Resolution approving renewal of Annual Agreement among the City-County Health Department, the Austin Independent School District and the State Health Department for joint administration of health services. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
 Noes: None  
 Absent: Councilman Friedman

## LAND FOR PARK PURPOSES

Councilman Nichols moved the the Council adopt a Resolution dedicating all funds received from the sale of land to the Austin Independent School District to be dedicated exclusively for acquisition of additional land for purposes. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Friedman

## EMINENT DOMAIN PROCEEDINGS

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for an underground sanitary sewer tunnel easement on

the following:

5,401.81 square feet out of Lots 1, 2, 14 & 15, WEISE RESUBDIVISION.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
Noes: None  
Absent: Councilman Friedman

#### STREET NAME CHANGE

Councilman Nichols moved the Council adopt a resolution authorizing street name change for the following:

Catlow Drive to MCGREGOR DRIVE, extending from Blarwood Drive to Berkley Drive.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
Noes: None  
Absent: Councilman Friedman

#### OUTSIDE CITY SEWER SERVICE

Councilman Nichols moved the Council adopt a resolution authorizing outside the City sewer service as follows:

City Forces to install one (1) sewer tap for Mr. S. M. Russell at Lot 2, Lanford Subdivision, 1538 East Anderson Lane. Owner had deposited the required fee of \$375.00.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

#### SPECIAL ASSESSMENT CERTIFICATE

Councilman Nichols moved the Council authorize transfer and assignment of Special Assessment Certificate No. 7104-4771-70-18(c) - P-3098(j) for the improvement of Reyes Street to Austin Savings and Loan Association. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

#### CONSTRUCTION & MAINTENANCE AGREEMENT

Councilman Nichols moved the Council authorize Municipal Construction and Maintenance Agreement for the TOPICS Signal Project in the Central Business District. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Handcox  
Noes: None  
Absent: Councilman Friedman

#### LETTER OF CREDIT DRAWDOWNS

Councilman Nichols moved the Council adopt a resolution authorizing Executive Administrator to sign Payment Voucher Card on Letter of Credit draw-downs for Model Cities funds in the absence of Acting City Manager. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

#### ANNEXATION ORDINANCE - 1ST & 2ND READINGS

Mayor Butler brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 82.10 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time, and Councilman Nichols moved that it be pass to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden,  
Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

The ordinance was read the second time, and Councilman Nichols moved that it be pass to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A 2.665 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4019-4025 BANNISTER LANE; 1100-1120 BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,
- (2) THE SOUTH 45.02 FEET OF LOT 4, BLOCK 4, HENRY B. SEIDERS SUBDIVISION, LOCALLY KNOWN AS 3900 MEDICAL PARKWAY; 1100-1104 WEST 39TH STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Ethel R. Cocke C14-68-196)  
(Tom Curtis, J. H. McCullick, New Owner, C14-70-122)

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A 12,416 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1112-1114 EAST 51ST STREET, FROM "A" RESIDENCE DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,

(2) A 0.586 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5601-5615 SOUTH CONGRESS AVENUE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Gary Howard C14-71-219) (M. H. Flournoy C14-71-215)

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

#### PORTION OF RIVERSIDE VACATED

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF EAST RIVERSIDE DRIVE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox  
Noes: None  
Absent: Councilman Friedman

The City Attorney, Mr. Don Butler, stated this was in relation to the Rothell-Felts agreement concerning 3500 square feet for which the option price is being reduced in accordance with the value. Mr. Butler pointed out an agreement mentioned by Mr. Felts to use this square footage temporarily for parking, ingress, and egress. He stated there would be no problem with zoning and parking, and it could be used until the City needs it for right-of-way.

The Mayor announced that the ordinance had been finally passed.

## STREET IMPROVEMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

## BOARD ESTABLISHED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1967 BY AMENDING SECTION 46-3 TO PROVIDE FOR SEVENTEEN MEMBERS SERVING THREE-YEAR STAGGERED TERMS AND TO PROVIDE THAT THE DIRECTOR OF PLANNING, DIRECTOR OF PARKS AND RECREATION, AND CITY ATTORNEY SHALL BE EX OFFICIO MEMBERS OF THE CITIZENS' BOARD OF NATURAL RESOURCES AND ENVIRONMENTAL QUALITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### DISCUSSION OF ENVIRONMENTAL RESOURCES DEPT.

Councilman Lebermann brought up for discussion the Office of the Director of Environmental Resources. City Manager Davidson stated there were a number of designations to be decided upon — the Department, Board, and Director. He suggested that the Director, Mr. Henry, Councilman Lebermann and himself meet and go over some of these matters.

#### REQUEST TO BLOCK PORTIONS OF STREETS

Mr. Lloyd Lockridge, President of the Arts Council, Mrs. John Tyler, Director, and proposed Chairman of the event the Fine Arts Council would sponsor, and Mrs. Elaine Mayo, Executive Secretary, appeared to state their plans and requests. Mr. Lockridge explained that the Arts Council is a group of Arts Organization participating in both visual arts and the Symphony and Ballet; and the Fine Arts Departments of the Educational Institutions. He listed Huston-Tillotson, University of Texas, St. Edwards, the Austin Independent School District, and others. The Arts Council is the coordinating body. He described a "happening" in October where the people will be given cultural entertainment. They are requesting the use of Congress between 5th and 7th Streets and 6th Street between Colorado and Brazos, Sunday, October 8th, from 8:00 A.M. until midnight; but the activities will be from 1:00 P.M. until 7:00 P.M. Appropriate decorations will be in place, and the audience will be entertained by three performances, Special entertainment for the children will be planned. Mr. Lockridge pointed out the importance of the backing and support of the Council through Parks and Recreation and the Police and Fire Departments. This will be an event for the entire community from all backgrounds. Mrs. Pat Tyler, Director of this "Happening in October", stated the Houston event attracted about 20 to 30,000 people, and Austin will follow their format closely. The drawing she submitted of the main area at the intersection of Congress and 6th Street, had a "jumping mattress" which will accomodate 200 people who could jump at the same time.

Councilman Nichols pointed out the necessity of insurance coverage. Mr. Lockridge stated he would look into this and get the proper insurance.

Mayor Pro Tem Love suggested that provisions be made for a first aid station, and for restrooms.

Councilman Nichols stated subject to approval of all Departments of the City including the City Attorney, and as to insurance, etc., that he moved that permission be granted to use the street area, with provision of restroom facilities, and first aid station. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

Councilman Lebermann commended the Arts Council for this project, and he believed it would be a fine project and something all citizens of Austin would enjoy thoroughly.

PROPOSAL RE: ENVIRONMENT AND WASTES

Mrs. John H. Hicks and Mrs. Stuart Harris appeared in the interest of environment, and the handling of various waste materials for recycling. A long petition was filed with the Council to request that the City of Austin require residents to separate their trash, and that the City undertake the recycling of tin cans (which are most steel), aluminum, paper, and glass; and that food garbage, leaves, and cuttings be composted; and also to request that the City enlist the cooperation of the citizens in cleaning up the litter that is spoiling the beauty of the City.

Mrs. Hicks discussed the recycling, particularly of tin cans, stating this operation is in Austin, and there is a market for the cans. Councilman Nichols stated the City, at this time, is picking up the cans from a number of pick-up stations for recycling for the Ecology Action, but the service is not paying its way.

Councilman Lebermann, stating with the new Office of Environmental Resource Management fully operational now, replete with a Citizens Board, moved to refer this excellent suggestion to Mr. Henry, Director of Environmental Resources, and his Board for review. Councilman Nichols seconded the motion. Roll call was as follows:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Handcox  
Noes: None  
Absent: Councilman Friedman

Mrs. Stuart Harris stated this group was asking for a starter, and they did want Mr. Stuart Henry and the Environmental Committee, consulting with Ecology Action and the Austin Environmental Council, to work out a feasible method of moving into this field. She referred to a book, "The Closing Circle". Mrs. Harris discussed garbage as gold, and an ordinance against selling beverages in tins or bottles without a five cent deposit; and discussing composting. The Women in Austin want to have a part in the environment and this is one thing they could do.

## ZONING APPLICATION DISCUSSED

Mr. Dick Lillie, Director of Planning, submitted the request of Mr. Hester, in that the application made on Burnet Road included the total tract for "C-2" Commercial, and the lease on the property does not permit the dedication of right-of-way from the tract. Mr. Dean Hester was asked to amend the application to include only the floor space within the building. Mr. Lillie said he then would recommend to the Council that the right-of-way be waived. On all "C-2" Commercial applications that come to the Council, just the area of the building is included for the "G-2" and right-of-way is never required in those cases. Mr. Hester has submitted new field notes, and the Planning Director said he would recommend that the right-of-way be waived and the application would be reduced to just the area in the building. The reason the right-of-way was required was because the whole tract of land was involved in the zoning. Had the application been made on only the part of the building to be used, there would have been no right-of-way suggested. The Mayor noted the 5' would be needed, no matter what was sold in the building.

Councilman Dryden moved the Council vote to leave the matter in status quo, and the request be rejected. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

## PARADE PERMIT

Councilman Nichols moved the Council approve a parade permit for the American Legion Boys State on June 13, 1972 from 9:00 to 9:30 A.M. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden,  
Nichols, Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

## ROADWAY UNDER CONSTRUCTION IN GARRISON PARK

Mr. George Bowie, spokesman for his 12 neighbors who were present, filed a petition requesting that the Council pave the road in Garrison Park before it is opened to traffic; construct raised strips of pavement (speed bumps) across the road for its entire length to insure that vehicles travel at a very low rate of speed; install stop signs by the road at all crosswalks; and leave the existing bushes and underbrush growing in the area between the road and their property, thereby helping to reduce noise from the park and to provide some measure of privacy. It also asked that a tall privacy fence be constructed or that shrubbery with dense foliage be planted along the entire south edge of the park.

Mr. Bowie stressed the paving of the road with the speed bumps to protect the children who daily cross into the park going to school or to the swimming pool.

Mr. Beverly Sheffield, Director of the Parks and Recreation Department, stated the native vegetation between the park road and the back of the homes would be left. He stated the paving was scheduled for next year.

As to the traffic, Mr. Bowie noted there was a sign to keep traffic off of this road; however, motorcycles used it. He discussed the winding roadway, which is a hazard, and reported there is no curbing, lighting or warning. Councilman Lebermann inquired if these citizens could be offered some relief in securing this street until such time as it can be paved or the problem could be corrected. Mr. Sheffield stated the best thing to be done now is to get barricade posts out there with a chain across it if the present barricades are not being effective. City Manager Davidson stated the street would be oiled prior to the time traffic starts using it and traffic controls would be rechecked and adequate signs put in place. He stated he would like to complete their study, and then get back in touch with Mr. Bowie, showing him what is proposed and perhaps have a better timetable.

Mayor Butler asked the group if the recommendation made by the City Manager were agreeable, and Mr. Bowie stated it was.

#### NAACP - NON-DISCRIMINATION IN EMPLOYMENT

Mr. Volma Overton appeared, representing the NAACP, to ask for an ordinance regarding a policy of non-discrimination in employment by persons contracting with the City of Austin. This would apply to persons who contract to supply labor, materials, goods, or services. Mr. Overton said that the Federal government has done this, and that the City practices non-discrimination in hiring its employees, and now this should apply to those who contract with the City. At present minority people have the lowest paying jobs, and are hired for the lower skills. The ordinance he proposed was an exact copy of the Tulsa, Oklahoma, city ordinance, and would apply to subcontractors as well. This would work through the Human Relations Commission and would also provide for public hearings in the event conciliation fails. The complainant and the persons complained against would then be entitled to appear in person or by legal counsel to present such statements, testimony or evidence as may be desired.

If discrimination is shown, the Council may cause the contractor to be Council-terminated or suspended in whole or in part, as the City Council may deem advisable under the circumstances. After having been declared ineligible, a contractor may apply to the Human Relations Commission which will make a recommendation to the Council, which may then either restore such eligibility or deny same. The Human Relations Commission shall annually report to the Council on all complaints.

Mr. Overton then read a resolution supporting the above ordinance. He said this ordinance had been investigated by many persons and attorneys and they consider it a very good ordinance.

Councilman Nichols said he would like a recommendation from the City Attorney, City Manager, and the Human Relations Commission as to a possible ordinance. Mr. Bill Stewart, Director of the Human Relations Commission, said the Commission heartily endorses this ordinance. Councilman Handcox asked whether the City has this kind of wording in their contracts now. The City Manager reported there were many articles in the proposed ordinance that are not covered in the guidelines that are included in the contracts. It was noted that the proposed ordinance tracked the Federal guidelines very well.

Councilman Handcox suggested that the ordinance contain a number limiting the coverage of the ordinance by size of the shop, such as a family shop, so it work a hardship. Mayor Butler asked about a possible difficulty arising when a Union restricts its membership and the contractor is dependent upon the Union for his labor. Mr. Overton noted he would not be in compliance with the contract. Councilman Handcox felt this would put pressure where Mr. Overton wanted, on Unions that discriminate against race. Mayor Pro Tem Love moved the Council set a public hearing on June 15, at 11:00 A.M. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

REQUEST FOR PARADE PERMIT  
STUDENT MOBILIZATION COMMITTEE AND THE AUSTIN PEACE ACTION COMMITTEE

Mr. Tom Kincaid, representing the Student Mobilization Committee and the Austin Peace Action Committee, stated they had applied to the Police Department for a permit on the past Tuesday. He explained they made the application after listening to the President's speech. It was noted he had been given two parade permits within the past two weeks.

Mayor Pro Tem Love inquired about an incident which occurred today. City Manager Davidson reported a spontaneous march beginning at Woodridge Park at approximately 5:00 P.M., resulting in a number of persons attempting to block traffic, both pedestrian and vehicular; jamming the sidewalks in front of the Federal Building; and over all, resulting in the arrests of about five people. Mr. Kincaid stated the Students Mobilization Committee did not sponsor that parade; and to his knowledge his members were not participants of that parade; however, he could not account for every person in it, as this is a loosely defined membership organization.

Mayor Butler asked Mr. Kincaid if he were a student. Mr. Kincaid answered he was not a student, and he was employed by the Student Mobilization Committee.

Mr. Bob Wilkes spoke in opposition to the parade permit before the Council at this time, with the taxpayers footing the bill for security of the Police. He also did not condone the citizens' being burdened with the expense of supporting enemies of the United States in parades flying the Viet Cong flag. Mr. Wilkes said the City of Austin is gaining a reputation for being lax on extremists and their policies and denying this permit would be a step in reversing this trend.

Mr. Rick Ream, not representing the SMC, but supporting their petition for that march, noted that when demonstrations planned are not allowed to take place, and when people are not allowed the freedom of speech to dissent, then they will erupt in spontaneous actions similar to that which happened this afternoon; or perhaps the regrettable event of the fire-bombing of Senator Tower's office recently.

Mr. Frank Horsfeldt spoke, suggesting that the parade be on the east side for a change. He supported the parade. Mrs. Sara Butler stated there was over-reaction, and there was talk about the money spent on extra policemen, estimating the sum to be \$1,500 for tear gas and the bombs they threw. The Mayor stated the amount spent was \$13,000 for overtime mostly. Mrs. Butler made several allegations, stating she was personally threatened with a hatchet.

Mr. John Lane stated people were getting tired of all the marches; however, he stated he could see that the response is sort of misguided in the sense of equating what happened this afternoon and what happened at Texas Instruments, and Friday night at the University, with what they want to do Saturday. SMC never stood for that kind of demonstration; and all those accomplish is getting arrested, and nothing is gained. He stated, however, the Council should go ahead and grant the permit.

Mayor Butler stated this Council had never turned down a parade permit by any person. This application was not presented in a normal, legal manner. The Mayor stated the damages are a very real point because the Council is answerable to all of the citizens when property is damaged and they are called and asked why this is permitted as property rights are to be protected -- and the property owners' rights are being infringed upon.

The Council discussed the matter thoroughly. Mayor Butler suggested that the parade route be shortened to the same as it was the last time. Mr. Kincaid was agreeable if one alteration in the route could be made to permit their going to 7th Street (two blocks farther). Councilman Nichols was unwilling to go on this matter, unless the route is shortened to what they had before.

Mayor Butler stated the big problem in this parade permit is it does not comply with the normal routine of the ordinance, and it is a much longer parade than was granted the last time. Councilman Dryden emphasized Mr. Kincaid's shortening the route.

After further discussion, Councilman Handcox moved that the (72 hour) statutory requirements be waived, and that Mr. Kincaid and the Student Mobilization Committee be granted their permit, confined to the route outlined at their last parade. The motion, seconded by Councilman Lebermann, carried by the following vote:

- Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Lebermann
- Noes: Councilman Nichols, Mayor Pro Tem Love
- Absent: Councilman Friedman

Mayor Butler announced the permit had been granted on the same basis as he had before, stating they were counting on Mr. Kincaid to conduct this parade in the same lawful manner as before.

AGREEMENT FOR OFFICE SPACE IN TRAVIS BLDG.

Mayor Butler stated the Council agreed to approve the lease if the lessors would accept it on a month to month basis.

Mr. Morahan, Land Division, reported the lessors would accept the lease on a month to month basis, but if they were to do the remodeling proposed, they should have a guarantee that they could recoup the expenses. Formerly there were discussions that the City would do this work, or contract it out. City Manager Davidson stated he would handle it.

Mayor Pro Tem Love moved the Council approve the renting of the space on a month to month basis, with the City providing the dividers, etc., and with the privilege of removing them at any time the rental is terminated. The motion, seconded by Councilman Nichols, carried by the following vote:

- Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden
- Noes: None
- Absent: Councilman Friedman

CORPORATION COURT CHIEF CLERK

Mayor Butler announced that the resignation of Mr. Richard Hill, the Chief Clerk of the Corporation Court, had been received, and Mr. Bruce Todd, Deputy Court Clerk, had been suggested as the Interim Chief Court Clerk for a period of six months. Councilman Nichols moved the Council appoint MR. BRUCE TODD as Interim Chief Court Clerk for a period of six months, effective June 11, 1972. The motion, seconded by Councilman Lebermann, carried by the following vote:

- Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols
- Noes: None
- Absent: Councilman Friedman

**PUBLIC SERVICES CAREERS PROGRAM DIRECTOR INTRODUCED**

City Manager Davidson introduced Mr. John Patterson, Director of the Public Service Careers Program, and he will occupy the space that the Council had just approved in the Travis Building. He stated Mr. Patterson is a graduate of Huston-Tillotson College. The Council welcomed him to the staff.

**TERM EXPIRATIONS - URBAN RENEWAL AGENCY**

Mayor Butler announced the designation of term expiration dates of those appointed to the Urban Renewal Agency as follows:

Mr. Felder Thornhill will take the place of Dr. Paul Elbrecht, whose term expires August 11, 1972.

Mr. Lew Troiano will take the place of Mr. Ray Del Galloway, whose term expires August 11, 1972.

Mr. Joe Leonard will replace Mr. Jack Roche, whose term expires July 23, 1972.

**APPEAL - HEALTH & SANITATION PROVISIONS**

Mr. Donald N. Goldstone, Attorney for Mr. Louis Johnson, had requested to appear before the Council regarding an appeal in compliance with Section 12-17 of the Health and Sanitation provisions of the Austin City Code. Mayor Butler called the matter up, but no one appeared to be heard.

**CIVITAN CLUB REQUEST**

Mr. Don Chapman, representing the South Austin Civitan Club, requested permission to erect a sign (specifications approved by the City) to be placed on an island in South Austin, enclosed by East Live Oak, South Congress, and College Street. The South Austin Civitan Club built a gazebo on this island several years ago, and maintained the gazebo back to the City. There is a statue of Stephen F. Austin on the island, and they would like to name it STEPHEN F. AUSTIN ISLAND, A PROJECT OF THE SOUTH AUSTIN CIVITAN. The sign would be 24 x 36", and the Civitan Club would maintain it.

Councilman Nichols moved the Council grant the permission to place the described sign. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Absent: Councilman Friedman

## DELETION OF REQUEST TO APPEAR

Mr. Phil Mockford had requested to appear before the City Council concerning the clarification of sewer service arrangements, but he has requested to have this matter withdrawn from the agenda.

## STATUS OF BALL FIELDS

In connection with the Garrison Park development, when Mr. George Bowie appeared concerning paving, etc., the Council inquired about the status of the ball fields, and Mr. Sheffield gave a brief status report. He stated the Junior football field would be ready in the latter part of August, and that a junior baseball field would probably be put in by the Southwest Austin Optimist Club.

## SOUND TESTING OF BOAT RACES

Mr. Dan Davidson, City Manager, stated Mr. Stewart Henry, in cooperation with Dr. Boner, had conducted a series of tests on Town Lake. Mr. Henry presented his report, reviewing the conclusion in the report, and pointed out the fine maps the Planning Department had provided him. A hundred samples were taken at 20 sites. No violations of Federal, State or local guidelines were apparent. He listed technical measurements and set out the various guidelines by HUD. Tests made fell below the recommended guidelines, except one which was 5 dba above HUD's guidelines; but a more representative sample at site 10 would be about 7 dba less than HUD's guideline.

Most of the laws enacted are specifically to regulate the working environment based on an eight hour day of 40 hours a week exposure. Urban sound levels are increased 1 dba a year. The testing was interrupted by airplanes, loud playing radios, motorcycles, and nearby traffic. A reasonable and fair approach to abatement of the urban environmental noise problem required addressing the whole problem and not merely a symptom of the problem, which is boat racing. He listed some remedies that could be made. His recommendations were that boat racing be continued until such time as they have the opportunity to do a more comprehensive study of the sound levels; and at that time should the boat races be in violation in an ordinance that the Council might pass, then the boat races would have to be stopped.

Councilman Nichols moved the Council vote to accept the report and approve the boat races in June and July. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Handcox  
Noes: None  
Absent: Councilman Friedman

Councilman Lebermann commended Mr. Henry on his excellent report, and hoped he would continue to work with the boat clubs.

## STATUS OF GAZEBO CONSTRUCTION

The Department of Recreation has worked with Women in Construction in order to have a proposal to complete the landscaping around the Town Lake Gazebo which they financed, constructed, and presented to City of Austin. The Item under consideration concerns the completion of the landscaping project. Mr. Beverly Sheffield, Director of Recreation, showed a drawing of their plans, pointing out the walkway, and the development of a reflecting pond, about 100 x 75 or 80 1/2' wide. Water comes in from the discharge pipe of the air conditioning at the Auditorium to the reflecting ponds. City Manager Davidson stated there were funds in the Recreation Department for this landscaping.

Councilman Nichols moved the Council authorize the City Manager to proceed with the project. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Lebermann, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

Those present in Women in Construction were introduced and congratulated on this project.

## ADJOURNMENT

The Council adjourned at 10:50 P.M.

APPROVED: \_\_\_\_\_

  
Mayor

ATTEST: \_\_\_\_\_

City Clerk